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LA ESPERANZA FOOD CENTER AND BILL

6 W. CHU, INC.

7  
8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

10  
11 HENDRIK BLOCK,

12 Plaintiff,

13 v.

14 RAMIREZ-VAZQUEZ, INC. dba LA  
ESPERANZA FOOD CENTER; BILL W.  
15 CHU, INC.,

16 Defendants.

Case No. 1:21-CV-01425-NONE-BAM

**STIPULATION AND ORDER TO SET  
ASIDE DEFAULT JUDGMENT**

1 1. On or about November 22, 2021, Plaintiff HENDRIK BLOCK requested entry of default  
2 as to Defendant RAMIREZ-VAZQUEZ, INC. dba LA ESPERANZA FOOD CENTER.

3 2. On or about November 23, 2021, the court entered the default of Defendant RAMIREZ-  
4 VAZQUEZ, INC. dba LA ESPERANZA FOOD CENTER.

5 3. IT IS HEREBY STIPULATED AND AGREED between the parties hereto, through their  
6 respective attorneys of record, that the default entered against Defendant RAMIREZ-VAZQUEZ,  
7 INC. dba LA ESPERANZA FOOD CENTER be set aside.

8 4. The parties further stipulate and agree that Defendant RAMIREZ-VAZQUEZ, INC. dba  
9 LA ESPERANZA FOOD CENTER shall file and serve an Answer or a motion under Rule 12 with  
10 the Court within sixty (60) days from December 16, 2021, the date when the request of Waiver of  
11 The Service of Summons was sent.

12  
13 Dated: December 16, 2021

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

14  
15 By: /s/ David R. McNamara

16 David R. McNamara

17 Attorneys for RAMIREZ-VAZQUEZ, INC. dba LA  
18 ESPERANZA FOOD CENTER AND BILL W. CHU,  
INC.

19 Dated: December 16, 2021

MOORE LAW FIRM, P.C.

20  
21 By: /s/ Tanya E. Moore

22 Tanya E. Moore

23 Attorneys for HENDRIK BLOCK  
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**ORDER**

Based on the parties' stipulation, and good cause appearing, IT IS HEREBY ORDERED that the Default entered against Defendant RAMIREZ-VAZQUEZ, INC. dba LA ESPERANZA FOOD CENTER is hereby set aside. Defendant RAMIREZ-VAZQUEZ, INC. dba LA ESPERANZA FOOD CENTER is to file and serve an Answer or a motion under Rule 12 with the Court within sixty (60) days from December 16, 2021, the date when the request of Waiver of The Service of Summons was sent.

IT IS SO ORDERED.

Dated: December 17, 2021

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE